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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/868,465	08/01/2001	Rene Nortung	109870	1245
25944	7590	11/23/2004		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER	PATEL, NITIN C
			ART UNIT	PAPER NUMBER
			2116	

DATE MAILED: 11/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/868,465	NORTUNG, RENE
	<b>Examiner</b>	<b>Art Unit</b>
	Nitin C. Patel	2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 29 October 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 01 August 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) <u>✓</u>                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   |   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
|  | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

1. This is in responsive to amendment filed on October 29, 20004.
2. Objection to the specification has been withdrawn.
3. Objections to claims 1, 8 – 10 for minor informalities have been withdrawn.
4. Rejection to claims 9, 15, and 17 under 35 USC 112 Second Paragraph have been withdrawn.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 – 5, 14, 16, and 18, are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Tiong, US Patent 6, 378, 074 B1.
7. As to claim 1, and 16, Tiong discloses control device [12, control unit] for use with computer comprising: the computer having a motherboard [motherboard is inherent to the computer], and one or more units [Disk1, Disk2, Modem, Network adapter] and a power supply unit [21] that supplies electrical power to the motherboard and to the one or more unit and an electrical interconnections [inherent to the computer system] that interconnects the motherboard and to the one or more unit and power supply unit [21][fig. 1] the computer being capable of operating in at least a first state [mode], in which a first group of the one or more units are operable, and in a second state, in which a second group of the one or more units are operable

[disk drives are selected/unselected based on computing mode][col. 2, lines 1 – 19], the control device [12, control unit] being adapted, in dependence on the state in which the computer is to operate [computing mode] to establish selected one of the electrical interconnections so as to make corresponding unit operable [by connecting selected drives] and, to interrupt, selected one of the electrical interconnections so as to make corresponding units inoperable [by disconnecting unselected drives], the control device [12] including an input device [mode select switches] by means of which one or more codes may be supplied to the control device [12], and means which specify a relation between codes and the states [control unit which different computing modes are programmed][col. 2, lines 4 – 9], and which is adapted on the basis on codes received through the input device and of the relation between codes and the states, to select a state in which the computer is to operate and to establish the electrical interconnections to the selected group of units to be operable in selected state [col. 3, lines 46 – 67, col. 4, lines 1 – 27, fig. 2], and following this, and before the computer is configured [computer is configured after power on], to establish the electrical interconnection between the power supply unit [21] and the motherboard [steps are done before computer is powered on, fig. 3][col. 2, lines 1 – 29, 51 – 67, col. 3, lines 1 – 67, col. 4, lines 1 - 27].

8. As to claim 2, Tiong discloses control device [12] comprising one or more connectors [fig. 2], and the control device [12] is adapted to establish [connect] and interrupt [disconnect] the interconnections [by generating control signals M11, M12, M2, Mn, to enable and disable bus interface unit (BIU)][col. 3, lines 54 – 67, col. 4, lines 1 – 4, fig. 2 – 3].

9. As to claims 3, and 4, Tiong discloses one or more connectors [fig. 2] are data, command, and control connectors [bus interface unit is for data, control, and command lines] [fig. 2], and

the control device [12] is adapted to establish [connect] and interrupt [disconnect] the interconnections by the use of connectors [col. 3, lines 54 – 67, col. 4, lines 1 – 4, fig. 2 – 3].

10. As to claim 5, Tiong discloses one or more connectors [fig. 2] are power connectors [for disk drive power bus, 22] [fig. 2], and the control device [12] is adapted to establish [connect] and interrupt [disconnect] the interconnections by the use of connectors [col. 2, lines 64 – 67, col. 3, lines 1 – 5, fig. 2 – 3].

11. As to claim 14, Tiong teaches a computer system therefore, it is inherent to system to have an output device [monitor] adapted to show information on current state of the computer.

12. As to claim 18, Tiong discloses a control device [12] in connection with a personal computer [col. 1, lines 6 – 8, fig. 1].

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 7, and 13, are rejected under 35 U.S.C. 103(a) as being unpatentable over Tiong, US Patent 6, 378, 074 B1 as applied to claims 1, and 16 above, and further in view of Blair, US Patent, 5,187,352 (cited in IDS filed on August 1, 2001).

15. As to claim 7, Tiong discloses control device [12, control unit] for use with computer comprising: the computer having a motherboard [motherboard is inherent to the computer], and one or more units [Disk1, Disk2, Modem, Network adapter] and a power supply unit [21] that supplies electrical power to the motherboard and to the one or more unit and an electrical

interconnections [inherent to the computer system] that interconnects the motherboard and to the one or more unit and power supply unit [21][fig. 1] the computer being capable of operating in at least a first state [mode], in which a first group of the one or more units are operable, and in a second state, in which a second group of the one or more units are operable [disk drives are selected/unselected based on computing mode][col. 2, lines 1 – 19], the control device [12, control unit] being adapted, in dependence on the state in which the computer is to operate [computing mode] to establish selected one of the electrical interconnections so as to make corresponding unit operable [by connecting selected drives] and, to interrupt, selected one of the electrical interconnections so as to make corresponding units inoperable [by disconnecting unselected drives], the control device [12] including an input device [mode select switches] by means of which one or more codes may be supplied to the control device [12], and means which specify a relation between codes and the states [control unit which different computing modes are programmed][col. 2, lines 4 – 9], and which is adapted on the basis on codes received through the input device and of the relation between codes and the states, to select a state in which the computer is to operate and to establish the electrical interconnections to the selected group of units to be operable in selected state [col. 3, lines 46 – 67, col. 4, lines 1 – 27, fig. 2], and following this, and before the computer is configured [computer is configured after power on], to establish the electrical interconnection between the power supply unit [21] and the motherboard [steps are done before computer is powered on, fig. 3][col. 2, lines 1 – 29; 51 – 67, col. 3, lines 1 – 67, col. 4, lines 1 - 27].

However, Tiong does not teach explicitly the input device comprises a card reading unit in which one or more codes may be supplied to the control device. In summary, he does not

teach to use card reader and encoder as an input device to read and supply one or more codes to control device.

Blair discloses a microprocessor controlled security system for computer which incorporates card reader and encoder and by reading and encoding and responsively issues enable or disable signals through component interface circuit to the computer system component to be enabled or disabled [col. 3, lines 1 – 55].

It would have been obvious to one of ordinary skill in art, having the teachings of Tiong and Blair before him at the time of invention was made, to modify the control device disclosed by Tiong to include a processor controlled security system for computers with a card reader and encoder that issues enable or disable signals through component interface circuit to the computer system component to enabled or disabled as taught by Blair in order to obtain processor controlled security system for controlling access to peripheral devices to authorized users suitable for personal computers both practical and of reasonable cost [col. 2, lines 48 – 64].

16. As to claim 13, Blair teaches a processor based security system that includes timer device, and control device [processor] is adapted, on the basis of this the sate in which computer is to operate [col. 2, lines 59 – 64].

17. Claims 6, and 8, rejected under 35 U.S.C. 103(a) as being unpatentable over Tiong, US Patent 6, 378, 074 B1 as applied to claims 1, and 16 above, and further in view of Chao, US Patent, 5,313,639 (cited in IDS filed on August 1, 20011).

18. As to claims 6, and 8, Tiong discloses control device [12, control unit] for use with computer comprising: the computer having a motherboard [motherboard is inherent to the computer], and one or more units [Disk1, Disk2, Modem, Network adapter] and a power supply

unit [21] that supplies electrical power to the motherboard and to the one or more unit and an electrical interconnections [inherent to the computer system] that interconnects the motherboard and to the one or more unit and power supply unit [21][fig. 1] the computer being capable of operating in at least a first state [mode], in which a first group of the one or more units are operable, and in a second state, in which a second group of the one or more units are operable [disk drives are selected/unselected based on computing mode][col. 2, lines 1 – 19], the control device [12, control unit] being adapted, in dependence on the state in which the computer is to operate [computing mode] to establish selected one of the electrical interconnections so as to make corresponding unit operable [by connecting selected drives] and, to interrupt, selected one of the electrical interconnections so as to make corresponding units inoperable [by disconnecting unselected drives], the control device [12] including an input device [mode select switches] by means of which one or more codes may be supplied to the control device [12], and means which specify a relation between codes and the states [control unit which different computing modes are programmed][col. 2, lines 4 – 9], and which is adapted on the basis on codes received through the input device and of the relation between codes and the states, to select a state in which the computer is to operate and to establish the electrical interconnections to the selected group of units to be operable in selected state [col. 3, lines 46 – 67, col. 4, lines 1 – 27, fig. 2], and following this, and before the computer is configured [computer is configured after power on], to establish the electrical interconnection between the power supply unit [21] and the motherboard [steps are done before computer is powered on, fig. 3][col. 2, lines 1 – 29, 51 – 67, col. 3, lines 1 – 67, col. 4, lines 1 - 27].

However, Tiong does not teach explicitly the input device comprises a keyboard in which one or more codes may be supplied to the control device, and to ensure that the specification of the relation between the codes and states is allowed only after submission of a predefined code. In summary, he does not teach to use keyboard as an input device to read and supply one or more codes to control device only after submission of predefined code.

Chao discloses a computer with security device for controlling access thereto with a keypad [2] as an input device in which one or more codes may be supplied to the control device [microprocessor] and is allowed to enter code only after submission of predefined code [processor receives the input password from keypad and which generates an activating signal when the input password tallies with the desired password in memory unit [abstract, col. 1, lines 54 – 67, col. 2, lines 1 – 10].

It would have been obvious to one of ordinary skill in art, having the teachings of Tiong and Chao before him at the time of invention was made, to modify the control device disclosed by Tiong to include a processor controlled security system for computers with a keypad as an input device to enter one or more codes and is allowed to enter code only after submission of predefined code [processor receives the input password from keypad and which generates an activating signal when the input password tallies with the desired password in memory unit [abstract, col. 1, lines 54 – 67, col. 2, lines 1 – 10] as taught by Chao in order to obtain processor controlled security system for controlling access to peripheral devices to authorized users only as password protected, and computer keyboard can be locked anytime during the normal operation [col. 3, lines 44 – 63].

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19. Claims 9 – 12, and 17, are rejected under 35 U.S.C. 103(a) as being unpatentable over Tiong, US Patent 6, 378, 074 B1 as applied to claims 1, and 16, and Blair, US Patent, 5,187,352 (cited in IDS filed on August 1, 20011), and further in view of Dayan et al. (hereinafter as Dayan, US Patent 5,574,786 (cited in IDS filed on August 1, 20011)).

20. As to claim 9, Tiong discloses control device [12, control unit] for use with computer comprising: the computer having a motherboard [motherboard is inherent to the computer], and one or more units [Disk1, Disk2, Modem, Network adapter] and a power supply unit [21] that supplies electrical power to the motherboard and to the one or more unit and an electrical interconnections [inherent to the computer system] that interconnects the motherboard and to the one or more unit and power supply unit [21][fig. 1] the computer being capable of operating in at least a first state [mode], in which a first group of the one or more units are operable, and in a second state, in which a second group of the one or more units are operable [disk drives are selected/unselected based on computing mode][col. 2, lines 1 – 19], the control device [12, control unit] being adapted, in dependence on the state in which the computer is to operate [computing mode] to establish selected one of the electrical interconnections so as to make corresponding unit operable [by connecting selected drives] and, to interrupt, selected one of the electrical interconnections so as to make corresponding units inoperable [by disconnecting unselected drives], the control device [12] including an input device [mode select switches] by means of which one or more codes may be supplied to the control device [12], and means which specify a relation between codes and the states [control unit which different computing modes are programmed][col. 2, lines 4 – 9], and which is adapted on the basis on codes received through the input device and of the relation between codes and the states, to select a state in

which the computer is to operate and to establish the electrical interconnections to the selected group of units to be operable in selected state [col. 3, lines 46 – 67, col. 4, lines 1 – 27, fig. 2], and following this, and before the computer is configured [computer is configured after power on], to establish the electrical interconnection between the power supply unit [21] and the motherboard [steps are done before computer is powered on, fig. 3][col. 2, lines 1 – 29, 51 – 67, col. 3, lines 1 – 67, col. 4, lines 1 - 27].

Blair discloses a microprocessor controlled security system for computer which incorporates card reader and encoder and by reading and encoding and responsively issues enable or disable signals through component interface circuit to the computer system component to be enabled or disabled [col. 3, lines 1 – 55].

However, Tiong or Blair do not disclose a supervisory unit which is adapted to currently supervise contact with one or more of the units both before, during and after the first start and re-start, and the control device is adapted, on the basis of this, to select the state in which the computer is to operate.

Dayan teaches a computer system with a security feature with a contact [movement] detection with a contact [movement] detection apparatus preferably activates temper evident mechanism, and power control or “on/off” of power supply which change a conductive state in response to opening or removal of enclosure covers, cable connector cover, and keyboard switch. [col. 4, lines 41 - 49, col. 9, lines 48 - 65, col. 10, lines 47 - 58, col. 13, lines 21 – 53].

It would have been obvious to one of ordinary skill in art, having teachings of Tiong, Blair and Dayan before him at the time of the invention was made, to modify the computer with control device for controlling the access disclosed by Tiong and Blair to include a contact

[movement] detection with a contact [movement] detection switch preferably activates temper evident mechanism, and power control or "on/off" of power supply which change a conductive state in response to opening or removal of enclosure covers, cable connector cover, and keyboard switch technique taught by Dayan will provide ability to correctly enforce a security policy depends solely on the mechanism within trusted computing base [TCBI and on the correct input by system administrative personnel related to the security policy [col. 5, lines 47 - 51, fig. 8a].

21. As to claim 10, Dayan discloses the supervision [movement detection] comprises identification of one or more of the units [enclosure covers, cable connector cover, keyboard switch] [col. 4, lines 61 - 65, col. 9, lines 48 - 65, fig. 21].

22. As to claim 11, Dayan discloses the supervision [movement detection] adapted to perform measurement of operational data [measured by movement monitoring and setting movement detection flag], and that the control device is adapted to select the state in which the computer is to operate [fig. 8a].

23. As to claims 12, and 17, Dayan discloses a chassis, a cover, a planar board, a supervisory device [movement detection apparatus] with a control device [temper evident activation mechanism] in an enclosed cabinet [fig. 2], adapted to determine whether the cabinet has been opened, and that the control device is adapted, on the basis of this, to select the state in which the computer is to operate [col. 4, lines 43 - 49, 60 - 65, col. 9, lines 48 - 65, fig. 8a].

24. Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is

respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

**25. Prior Art not relied upon:**

Please refer to the references listed in attached PTO-892, which, are not relied upon for claim rejection since these references are relevant to the claimed invention.

26. Applicant's arguments with respect to claims 1 - 18 have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin C. Patel whose telephone number is 571-272-3675. The examiner can normally be reached on 7:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on 571-272-3670. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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—THURSDAY